



JCO3 Re PCT/PTO 26 OCT 2005  
PCT

**PATENT APPLICATION**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q88639

Takahiro OHISHI, et al.

Appln. No.: 10/540,023 ✓

Group Art Unit: Unknown

Confirmation No.: Unknown

Examiner: Unknown

Filed: June 22, 2005

For: PROCESSES FOR PRODUCING OPTICALLY ACTIVE 2-THIOMETHYL-3-PHENYLPROPIONIC ACID DERIVATIVE AND PRODUCING INTERMEDIATE THEREFOR

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§ 1.97 and 1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the attached document, which the Examiner may deem material to patentability of the claims of the above-identified application.

The attached document is a corrected version of a translation of the International Preliminary Examination Report (IPER) for International Application No. PCT/JP2003/015821, which corresponds to the above-identified U.S. Application No. 10/540,023.

The eight (8) documents identified in the IPER were already submitted to the USPTO together with the Information Disclosure Statement filed on June 22, 2005.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action

INFORMATION DISCLOSURE STATEMENT  
U.S. Appln. No.: 10/540,023

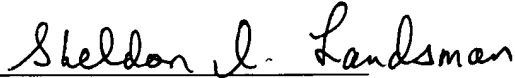
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on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

The submission is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,

  
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WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: October 26, 2005